

Attorney Docket # 4925-86

Serial No. 09/867,288
Amdt. dated December 23, 2004
Reply to Office Action dated September 23, 2004

REMARKS/ARGUMENTS

The Office Action dated September 23, 2004, has been carefully analyzed and reviewed. Claims 1-101 are pending, with Claims 1, 28, 56, 76, and 95 being in independent form. In the present Amendment, Claims 60-63 are being amended to recite correct antecedent basis, while Claim 95 is being amended to correct a minor error. No amendments are being made for reasons of patentability.

In the September 23, 2004 Office Action, all of the independent claims were rejected as anticipated under §102(e) by *Durst, Jr. et al.* (US 6,542,933).

In *Durst*, a client computer receives an identifier (which, for convenience, we shall call an "OI-Id") of an item (or object of interest - "OI"), and the OI-Id is forwarded to a server, which transmits appropriate information related to the OI (such information will be referred to, for convenience, as "P/S-Info") back to the client computer. *See* col. 3, line 65, to col. 4, line 7; and col. 6, lines 10-28. Although the system described in *Durst* is quite complex, the system, in essence, merely transmits P/S-Info back to the client computer which requested it.

Independent Claims 1 and 56 of the present application recite a portable shopping assistant (PSA) which receives an OI-Id of an item and transmits the OI-Id to an information server system (ISS), which retrieves the appropriate P/S-Info corresponding to the OI-Id. The P/S-Info is transmitted to an output device *separate from the PSA* for presentation to the user of the PSA.

At least because *Durst* neither teaches nor suggests having a PSA separate from the output device which presents the P/S-Info, which limitations are recited in Claims 1 and 56, Claims 1 and 56 are patentable over *Durst*. Withdrawal of their rejection is respectfully requested.

Attorney Docket # 4925-86

Serial No. 09/867,288
Amtd. dated December 23, 2004
Reply to Office Action dated September 23, 2004

At least through their dependence from Claims 1 and 56, which are believed to be in condition for allowance, Claims 2-27 and 57-75 are also believed to be in condition for allowance. Thus, withdrawal of their rejection is also respectfully requested.

Independent Claims 28 and 76 recite a system and method in which a PSA receives a OI-Id, which is transmitted to an ISS, which, in turn, transmits "key information" (OI-Key) back to the PSA. The PSA transmits the OI-Key to an I/O device which communicates the OI-Key to a P/S-Info Server which matches the OI-Key with a record containing the appropriate P/S-Info. In this manner, the I/O device may access the appropriate P/S-Info for presentation to the user of the PSA.

At least because *Durst* neither teaches nor suggests the use of an OI-Key separate from the OI-Id which is used by an I/O device to unlock and access the P/S-Info, which limitations are recited in Claims 28 and 76, Claims 28 and 76 are patentable over *Durst*. Withdrawal of their rejection is respectfully requested.

At least through their dependence from Claims 28 and 76, which are believed to be in condition for allowance, Claims 29-55 and 77-94 are also believed to be in condition for allowance. Thus, withdrawal of their rejection is also respectfully requested.

Independent Claim 95 recites a PSA which allows the user to select an output device on which the P/S-Info will be presented. After the PSA receives an OI-Id, it attaches information concerning the user-selected output device to the OI-Id, where said information concerning the user-selected output device comprises a communication destination address of the user-selected output device. When an ISS receives the OI-Id with the user-selected output device information attached, the ISS transmits the appropriate P/S-Info to the user-selected output device as indicated by the information attached to the received OI-Id.

Attorney Docket # 4925-86

Serial No. 09/867,288
Amdt. dated December 23, 2004
Reply to Office Action dated September 23, 2004

At least because *Durst* neither teaches nor suggests having a user selecting an output device for presenting the P/S-Info using a PSA which receives the OI-Id, which limitations are recited in Claim 95, Claim 95 is patentable over *Durst*. Withdrawal of its rejection is respectfully requested.

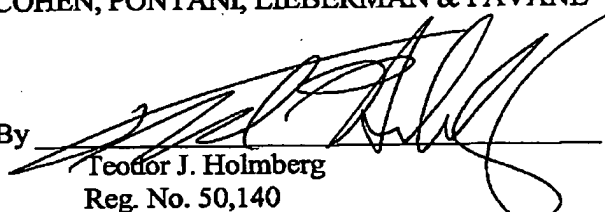
At least through their dependence from Claim 95, which is believed to be in condition for allowance, Claims 96-101 are also believed to be in condition for allowance. Thus, withdrawal of their rejection is also respectfully requested.

At least on the basis of the foregoing, allowance of the presently pending claims is respectfully requested.

Respectfully submitted,

COHEN, PONTANI, LIEBERMAN & PAVANE

By



Teodor J. Holmberg
Reg. No. 50,140
551 Fifth Avenue, Suite 1210
New York, New York 10176
(212) 687-2770

Dated: December 23, 2004

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☐ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.